

TMH:jlb 04/25/01 47201
PATENTAttorney Reference Number 245-53722
Application Number 09/434,837

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DEC 10 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ream *et al.*

Art Unit: Not yet assigned

TECH CENTER 1600/2900

Application No. 09/434,837

Filed: November 4, 1999

For: PLANTS HAVING ENHANCED RESISTANCE
TO GALL AND METHODS AND
COMPOSITIONS FOR PRODUCING SAME

Examiner: Not yet assigned

Date: April 25, 2001

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on April 25, 2001 as First Class Mail in an envelope addressed to: Box DAC, COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.


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OCT 26 2001

PETITIONS OFFICE

PETITION FOR WITHDRAWAL OF ABANDONMENT (37 C.F.R. §1.8(b))

In a telephone call to the Office of Initial Patent Examination on March 2, 2001, confirmed on April 17, 2001, Applicants' representative was informed that this case is being abandoned for the alleged failure to respond to a Notice to File Missing Parts, originally due February 2, 2000.

Submitted herewith is for consideration and filing in the case are:

- ☒ a copy of the post card identifying the papers timely filed in response to the Notice to File Missing Parts and showing the USPTO receipt stamp dated January 31, 2000 (marked Exhibit A);
- ☒ a copy of the original and complete Response to the Notice to File Missing Parts (Response), showing a Certificate of Mailing executed on January 24, 2000 (marked Exhibit B); and
- ☒ a copy of copy of the executed Combined Declaration and Power of Attorney (Declaration) received back from the USPTO with the recorded assignment, showing the USPTO receipt stamp dated January 31, 2000 (marked Exhibit C).

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This information is being submitted promptly after applicant has learned of the abandonment on the basis of applicant's own procedures in monitoring the progress of this case. Applicants note that it appears the executed Declaration was mistakenly separated from the Response and submitted to the Assignments division, where it was recorded as though part of the Assignment at Reel 010520, Frames 0754-0760 and 0785-0788.

Applicants request that the abandonment of this case be withdrawn. Acknowledgement of the active status of this application is respectfully requested.

Please proceed with substantive examination of the application on the basis of the attached copy of the response to the Notice to File Missing Parts.

Respectfully submitted,

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By

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